IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 621 of 2005

Between:

M. Srinivasulu, S/o. M. Ramakrishna,
R/o. 18-8-2,M.F. Road, Hindupur.

..... PETITIONER

AND

The Secretary,

Regional Transport Authority,

Ananthapur.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly a writ of Mandamus directing the respondent herein to accept the valid records of the vehicle bearing registration No. AP02/V-5326, pursuant to the grant made by the Regional Transport Authority, Anantapur, in R.No.8721/A2/96, dated 13/19-5-97 on the town service route, Hindupur Municipal Bus Stand to Kanchisamudram , within a period of 4 weeks and consequently direct the respondents to issue necessary permit on such production.

Counsel for the Petitioner: Mr.JOHN RAJENDRA PRASAD

Counsel for the Respondent: GP FOR TRANSPORT

The Court at the admission stage made the following :

ORDER:

By an order dated 24-11-2003, the State Transport Appellate Tribunal, Hyderabad dismissed the R.P.No.111 of 1997 which was filed questioning the grant of Stage Carriage Permit by the respondent in favour of the petitioner. The respondent, vide Memo No.R.No.8721/A2/96 dated11-01-2005, informed the petitioner that the time for production of valid records was over by 11-08-2004. Aggrieved by the same, the petitioner filed this Writ Petition seeking a direction to the respondent to accept the valid records of the vehicle bearing registration No. AP 02/V-5326.

2. Now, the learned counsel for the petitioner contended that due to ill-health of the petitioner, he could not produce the records within the stipulated time and before expiry of the said period, he could not even make an application for extension of time for production of the records. It is further contended that this Court in similar circumstances, in W.P.No.23274 of 2002 dated
21-11-2002, granted six weeks time to the petitioner therein on the ground that no third party rights have accrued on production of the records. Therefore, the facts on hand are also similar to that of the writ petition disposed of by this Court.

3. Having regard to the facts and circumstances of the case, the writ petition is disposed of granting two weeks time to the petitioner from today to submit valid records to the respondent. On submission of the records, within the said time, the respondent shall take appropriate steps to issue Stage Carriage Permit. If the petitioner fails to submit the valid records and documents within the said period, he is not entitled for Stage Carriage Permit. No costs.

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(K.C.BHANU,J)

25th January, 2005.

Note:

Furnish C.C. by 01-02-2005

B/o

tsy

To

1 The Secretary,

Regional Transport Authority,

Ananthapur.

2 Two CCs to the G.P. for Transport, High Court Buildings,

Hyderabad. (OUT).

3 Two CD copies.